

House Amendment 1610

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1 1 Amend House File 882 as follows:
1 2 #1. Page 40, by inserting after line 15 the
1 3 following:
1 4 <DIVISION ____
1 5 REPAYMENT OF FUNDS
1 6 Sec. _____. Section 8.54, subsection 2, Code 2005,
1 7 is amended to read as follows:
1 8 2. There is created a state general fund
1 9 expenditure limitation for each fiscal year calculated
1 10 as provided in this section. An expenditure
1 11 limitation shall be used for ~~the portion of the budget~~
1 12 process commencing on the date the revenue estimating
1 13 conference agrees to a revenue estimate for the
1 14 following fiscal year in accordance with section
1 15 8.22A, subsection 3, and ending with the ~~governor's~~
~~1 16 final approval or disapproval of the appropriations~~
~~1 17 bills applicable to that fiscal year that were passed~~
~~1 18 prior to July 1 of that fiscal year in a regular or~~
~~1 19 extraordinary legislative session close of the fiscal~~
~~1 20 year for which the expenditure limitation was~~
~~1 21 calculated. Once the fiscal year for which the~~
~~1 22 expenditure limitation was calculated commences, the~~
~~1 23 expenditure limitation for that fiscal year is not~~
~~1 24 subject to adjustment or readjustment except by law~~
~~1 25 enacted for that purpose.~~
1 26 Sec. _____. Section 8.54, Code 2005, is amended by
1 27 adding the following new subsections:
1 28 NEW SUBSECTION. 8. a. The requirements of this
1 29 subsection are only applicable under the state general
1 30 fund expenditure limitation for a fiscal year when the
1 31 adjusted revenue estimate used to establish the
1 32 expenditure limitation for that fiscal year represents
1 33 an increase of two percent or more over the adjusted
1 34 revenue estimate used to establish the expenditure
1 35 limitation for the immediately preceding fiscal year.
1 36 b. If an appropriation is made for a fiscal year
1 37 from a source other than the general fund of the state
1 38 for a designated purpose and in either of the two
1 39 fiscal years immediately preceding that fiscal year
1 40 the designated purpose was funded by an appropriation
1 41 from the general fund of the state, for the purposes
1 42 of the state general fund expenditure limitation, the
1 43 amount of the appropriation from the other source
1 44 shall be considered to have been transferred to and
1 45 appropriated from the general fund of the state and
1 46 shall be counted as both a new revenue causing
1 47 readjustment of the expenditure limitation amount and
1 48 as an appropriation made under the expenditure
1 49 limitation amount. Subject to the applicability
1 50 condition in paragraph "a", the requirements of this
2 1 subsection shall apply to either or both the initial
2 2 and immediately succeeding fiscal years for which the
2 3 appropriation is made from the other funding source.
2 4 NEW SUBSECTION. 9. a. Commencing during the
2 5 fiscal year that begins July 1, 2006, if the adjusted
2 6 revenue estimate used to establish the expenditure
2 7 limitation for the succeeding fiscal year represents
2 8 an increase over the adjusted revenue estimate used to
2 9 establish the expenditure limitation for the fiscal
2 10 year in progress by a percentage amount listed in this
2 11 paragraph, there is appropriated from the general fund
2 12 of the state to the office of the treasurer of state
2 13 for the succeeding fiscal year, the indicated amount.
2 14 An appropriation made pursuant to this subsection
2 15 shall be counted under the state general fund
2 16 expenditure limitation amount for the fiscal year for
2 17 which the appropriation is made. The treasurer of
2 18 state shall distribute the appropriation as provided
2 19 in paragraph "b" to be used to restore funding that
2 20 was transferred to the general fund of the state or
2 21 appropriated from various funds and accounts in lieu
2 22 of funding from the general fund of the state. The
2 23 appropriation made in this paragraph shall continue on
2 24 an annual basis until the amounts listed in paragraph

2 25 "b" have all been distributed. If the amount
2 26 appropriated would exceed the amount remaining to be
2 27 distributed, the appropriation shall be reduced by the
2 28 excess.

2 29 (1) For an increase in the adjusted revenue
2 30 estimate of at least two percent but less than four
2 31 percent, the appropriation made in this paragraph "a"
2 32 shall be an amount equal to one-half of one percent of
2 33 the adjusted revenue estimate used to establish the
2 34 state general fund expenditure limitation for the
2 35 fiscal year for which the appropriation is made.

2 36 (2) For an increase in the adjusted revenue
2 37 estimate of at least four percent but less than six
2 38 percent, the appropriation made in this paragraph "a"
2 39 shall be an amount equal to one percent of the
2 40 adjusted revenue estimate used to establish the state
2 41 general fund expenditure limitation for the fiscal
2 42 year for which the appropriation is made.

2 43 (3) For an increase in the adjusted revenue
2 44 estimate of at least six percent but less than eight
2 45 percent, the appropriation made in this paragraph "a"
2 46 shall be an amount equal to one and one-half percent
2 47 of the adjusted revenue estimate used to establish the
2 48 state general fund expenditure limitation for the
2 49 fiscal year for which the appropriation is made.

2 50 (4) For an increase in the adjusted revenue
3 1 estimate of eight percent or more, the appropriation
3 2 made in this paragraph "a" shall be an amount equal to
3 3 two percent of the adjusted revenue estimate used to
3 4 establish the state general fund expenditure
3 5 limitation for the fiscal year for which the
3 6 appropriation is made.

3 7 b. The appropriation made in paragraph "a" shall
3 8 be annually, if necessary, distributed as provided in
3 9 this paragraph "b". Unless otherwise provided by law,
3 10 notwithstanding section 8.33, moneys distributed in
3 11 accordance with this paragraph that remain
3 12 unencumbered or unobligated at the close of the fiscal
3 13 year shall not revert but shall remain available for
3 14 expenditure for the purposes designated until
3 15 expended.

3 16 (1) Moneys appropriated in paragraph "a" shall be
3 17 distributed to the funds and departments listed in
3 18 this subparagraph, in the order and amounts listed
3 19 until the full amounts listed have been distributed.
3 20 To the extent the appropriation for a fiscal year is
3 21 insufficient to fully fund an amount listed or
3 22 remaining, the amount of the insufficiency shall be
3 23 distributed from the next succeeding appropriation or
3 24 appropriations. When all amounts listed in this
3 25 subparagraph have been distributed in full, any
3 26 remaining amounts of the appropriation made in
3 27 paragraph "a" shall be distributed as provided in
3 28 subparagraph (2). Moneys distributed pursuant to this
3 29 subparagraph (1) shall be used for the purposes of the
3 30 fund or department to which distributed, unless a
3 31 purpose is stated with the amount:

3 32 (a) The innovations fund created in section 8.63,
3 33 four hundred thousand dollars.

3 34 (b) The state department of transportation to be
3 35 used for aviation hangars, three hundred sixty
3 36 thousand dollars, and for airport engineering studies
3 37 and improvement projects, three hundred forty-seven
3 38 thousand dollars.

3 39 (c) The special all-terrain vehicle fund created
3 40 pursuant to section 321I.8, eight hundred thousand
3 41 dollars.

3 42 (d) The victim compensation fund established in
3 43 section 915.94, one million dollars.

3 44 (e) The special snowmobile fund created pursuant
3 45 to section 321G.7, one million dollars.

3 46 (f) The revolving fund created in section
3 47 602.1302, for the purpose of paying jury and witness
3 48 fees and mileage by the judicial branch, one million
3 49 dollars.

3 50 (g) The brucellosis and tuberculosis eradication
4 1 fund created in section 165.18, one million dollars.

4 2 (h) The alternative drainage system assistance
4 3 fund created in section 460.303, one million one
4 4 hundred thousand dollars.

4 5 (i) The property tax relief fund risk pool created

4 6 in section 426B.5, subsection 2, one million five
4 7 hundred thousand dollars.

4 8 (j) The title guaranty fund created in section
4 9 16.91, two million seven hundred thousand dollars.

4 10 (k) The waste tire management fund created in
4 11 section 455D.11C, four million six hundred thousand
4 12 dollars.

4 13 (l) The groundwater protection fund established in
4 14 section 455E.11, five million two hundred thousand
4 15 dollars.

4 16 (m) The state department of transportation to be
4 17 used for recreational trails projects, five million
4 18 five hundred thousand dollars.

4 19 (n) The strategic investment fund created in
4 20 section 15.313, three million dollars.

4 21 (o) The physical infrastructure assistance fund
4 22 created in section 15E.175, two million five hundred
4 23 thousand dollars.

4 24 (p) The value-added agricultural products and
4 25 processes financial assistance fund created in section
4 26 15E.112, seven hundred fifty thousand dollars.

4 27 (q) The school infrastructure fund created in
4 28 section 12.82, twenty-two million dollars.

4 29 (2) When the amounts listed in subparagraph (1)
4 30 have all been distributed, any remaining amounts of
4 31 the appropriation made in paragraph "a" shall be
4 32 annually distributed to the account and funds listed
4 33 in this subparagraph (2) until the full amounts listed
4 34 have been distributed. If the appropriation is
4 35 insufficient to fully fund all amounts listed or
4 36 remaining, the appropriation shall be prorated among
4 37 the account and funds based upon an amount's
4 38 proportion of the total amount to be distributed. The
4 39 distribution of the appropriation made in paragraph
4 40 "a" shall continue in succeeding fiscal years until
4 41 the entire amount listed for each account or fund in
4 42 this subparagraph (2) has been distributed. Moneys
4 43 distributed shall be used for the purposes of the
4 44 account or fund to which distributed:

4 45 (a) The endowment for Iowa's health account of the
4 46 tobacco settlement trust fund created pursuant to
4 47 section 12E.12, four hundred twenty-nine million one
4 48 hundred thousand dollars.

4 49 (b) The environment first fund created in section
4 50 8.57A, fifty-four million five hundred thousand
5 1 dollars.

5 2 (c) The rebuild Iowa infrastructure fund created
5 3 in section 8.57, subsection 6, forty-three million
5 4 eight hundred thousand dollars.

5 5 (d) The senior living trust fund created in
5 6 section 249H.4, four hundred forty-six million
5 7 dollars.

5 8 (e) The Iowa comprehensive petroleum underground
5 9 storage tank fund created in section 455G.3, forty=
5 10 eight million dollars.

5 11 (f) The cash reserve fund created in section 8.56,
5 12 two hundred ninety million dollars.

5 13 (3) The aggregate amount of the appropriations to
5 14 be transferred from the Iowa economic emergency fund
5 15 to the senior living trust fund and the endowment for
5 16 Iowa's health account of the tobacco settlement trust
5 17 fund pursuant to section 8.55, subsection 2,
5 18 paragraphs "b" and "c", and the amount to be
5 19 transferred to the senior living trust fund pursuant
5 20 to section 8.57, subsection 2, paragraph "d", shall be
5 21 reduced by the distributions made to the fund and
5 22 account in accordance with subparagraph (2). The
5 23 amounts to be distributed to the senior living trust
5 24 fund and the endowment for Iowa's health account in
5 25 accordance with subparagraph (2) shall be reduced by
5 26 any amounts transferred to the fund or account
5 27 pursuant to section 8.55, subsection 2, paragraphs "b"
5 28 and "c", or section 8.57, subsection 2, paragraph "d".

5 29 c. This subsection is repealed on July 1 following
5 30 the fiscal year in which all amounts listed in
5 31 paragraph "b" have been paid in full. The treasurer
5 32 of state shall notify the Code editor when the amounts
5 33 have been paid in full.

5 34 Sec. _____. Section 8.55, subsection 2, paragraphs
5 35 b, c, and d, Code 2005, are amended to read as
5 36 follows:

5 37 b. Notwithstanding paragraph "a", any moneys in
5 38 excess of the maximum balance in the economic
5 39 emergency fund after the distribution of the surplus
5 40 in the general fund of the state at the conclusion of
5 41 the fiscal year beginning July 1, 2002, and subsequent
5 42 fiscal years, shall not be transferred to the general
5 43 fund of the state but shall be transferred to the
5 44 endowment for Iowa's health account of the tobacco
5 45 settlement trust fund. The amount transferred under
5 46 this paragraph shall not exceed the difference between
5 47 forty million dollars and the total amount transferred
5 48 to the endowment for Iowa's health account pursuant to
5 49 2001 Iowa Acts, chapter 177, section 2, as amended by
5 50 2001 Iowa Acts, chapter 187, section 28, and previous
6 1 fiscal years.

6 2 c. Notwithstanding paragraph "a", any moneys in
6 3 excess of the maximum balance in the economic
6 4 emergency fund after the distribution of the surplus
6 5 in the general fund of the state at the conclusion of
6 6 each fiscal year ~~and after the appropriate amount has~~
6 7 ~~been transferred pursuant to paragraph "b",~~ shall not
6 8 be transferred to the general fund of the state but
6 9 shall be transferred to the senior living trust fund.
6 10 The total amount transferred, in the aggregate, under
6 11 this paragraph, section 8.54, subsection 9, paragraph
6 12 "b", and section 8.57, subsection 2, paragraph "d",
6 13 for all fiscal years shall not exceed one four hundred
6 14 eighteen forty-six million dollars.

6 15 d. c. Notwithstanding paragraph "a", any moneys
6 16 in excess of the maximum balance in the economic
6 17 emergency fund after the distribution of the surplus
6 18 in the general fund of the state at the conclusion of
6 19 each fiscal year and after the appropriate amounts
6 20 have been transferred pursuant to ~~paragraphs~~ paragraph
6 21 "b" and "c" shall not be transferred to the general
6 22 fund of the state but shall be transferred to the
6 23 endowment for Iowa's health account of the tobacco
6 24 settlement trust fund. The total amount transferred,
6 25 in the aggregate, under this paragraph for all fiscal
6 26 years shall not exceed the difference between ~~one four~~
6 27 ~~hundred thirty-one~~ twenty-nine million five one
6 28 ~~hundred thirty-six~~ thousand dollars and the amounts
6 29 transferred to the endowment for Iowa's health account
6 30 to repay the amounts transferred or appropriated from
6 31 the endowment for Iowa's health account in 2002 Iowa
6 32 Acts, chapter 1165, 2002 Iowa Acts, chapter 1166, 2002
6 33 Iowa Acts, chapter 1167, 2002 Iowa Acts, Second
6 34 Extraordinary Session, chapter 1003, 2003 Iowa Acts,
6 35 chapter 183, and 2004 Iowa Acts, chapter 1175, and the
6 36 amounts distributed to the endowment for Iowa's health
6 37 account pursuant to section 8.54, subsection 9,
6 38 paragraph "b".

6 39 Sec. _____. Section 8.57, subsection 2, paragraph d,
6 40 Code 2005, is amended to read as follows:

6 41 d. The aggregate amount of the appropriations to
6 42 be transferred from the Iowa economic emergency fund
6 43 to the senior living trust fund pursuant to section
6 44 8.55, subsection 2, paragraph ~~"c"~~ "b", shall be
6 45 reduced by the appropriations made pursuant to
6 46 paragraph "a" of this subsection and the amounts
6 47 distributed to the senior living trust fund pursuant
6 48 to section 8.54, subsection 9, paragraph "b".

6 49 Sec. _____. EFFECTIVE AND APPLICABILITY DATES. The
6 50 section of this division of this Act amending section
7 1 8.54, subsection 2, and the provision of the section
7 2 of this division of this Act enacting section 8.54,
7 3 subsection 8, take effect July 1, 2006, and are first
7 4 applicable to the state general fund expenditure
7 5 limitation established for the fiscal year beginning
7 6 July 1, 2007.>

7 7 #2. By renumbering as necessary.

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7 11 _____
7 12 WISE of Lee

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7 16 DANDEKAR of Linn

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7 19 HUSER of Polk
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7 23 HOGG of Linn
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7 27 PETERSEN of Polk
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7 31 REICHERT of Muscatine
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7 35 WHITAKER of Van Buren
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7 39 D. OLSON of Boone
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7 43 MERTZ of Kossuth
7 44 HF 882.720 81
7 45 jp/gg/4742